

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ranjan PERERA *et al.*

Confirmation No.: 7997

Application No.: 10/702,319

Group Art Unit: 1636

Filed: November 6, 2003

Examiner: Qian, Celine X.

For: Compositions and Methods for the Modification of Gene Expression

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(c)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97  
and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of document 36 cited in the attached Form PTO-1449 is enclosed.
- ☒ Copies of the remaining publications listed on the attached Form PTO-1449 are not being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 10/137,036, filed April 30, 2002, and cited herein as 20030101478, document no. 10, to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Copies of documents that were not submitted in the above-mentioned related United States Patent Applications may be found in related United States Patent Application Nos.:  
Should the Examiner be unable to locate a document, a copy will be provided upon request.
- ☒ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO-1449 are being provided pursuant to 37 C.F.R. §1.98.

- ☒ Document no. 12, WO 00/58474, is a PCT Patent publications of Applicants' related PCT Application no. PCT/NZ00/00018, filed February 24, 2000.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed are abstracts of non-English publications \_\_\_\_\_, cited herein as documents \_\_\_\_\_ respectively. English abstracts are attached to each document. An English abstract of non-English publication \_\_\_\_\_, document \_\_\_\_\_, may be found on the cover page of the publication.
- ☐ Enclosed is an English translation of non-English publications \_\_\_\_\_, cited herein as documents \_\_\_\_\_ respectively. English translations are attached to each document.
- ☒ The Examiner's attention is directed to related United States Patent Application Serial Nos.:
- 09/276,599, filed March 25, 1999, cited herewith as 6380459 (document no. 8);
- 09/598,401, filed June 20, 2000, cited herewith as 6596925 (document no. 9);
- 09/724,624, filed November 28, 2000, now abandoned;
- 10/137,036, filed April 30, 2002, cited herewith as 20030101478 (document no. 10);
- 10/927,641, filed August 27, 2004, cited herewith as 20050244968 (document no. 11); and
- 11/711,894, filed February 28, 2007, not published.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. §1.113;
- ☐ a notice of allowance under 37 C.F.R. §1.311; or

☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- ☒ Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- ☐ Statement as specified in 37 C.F.R. §1.97(e):
- ☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

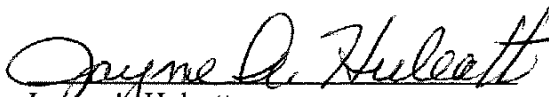
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Forms PTO-1449 to the undersigned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1283.

Dated: March 30, 2007

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Respectfully submitted,  
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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  <b>PTO Form 1449</b>				<b>Attorney Docket No.</b> ARBG-004/07US		<b>Application No.</b> 10/702,319			
				<b>Applicants:</b> Ranjan PERERA <i>et al.</i>				<b>PAGE 1 of 4</b>	
				<b>Filing Date:</b> November 6, 2003		<b>Group Art Unit:</b> 1636			

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	5510474	04/23/1996	Quail et al.			
	2.	5639952	06/17/1997	Quail et al.			
	3.	5656496	08/12/1997	Quail et al.			
	4.	5750385	05/12/1998	Shewmaker et al.			
	5.	5910415	06/08/1999	Hodges et al.			
	6.	6054574	04/25/2000	Quail et al.			
	7.	6225529	05/01/2001	Lappegard et al.			
	8.	6380459	04/30/2002	Perera et al.			
	9.	6596925	07/22/2003	Perera et al.			
	10.	20030101478	05/29/2003	Perera et al.			
	11.	20050244968	11/03/2005	Perera et al.			

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		Document No.	Date	Country	Class	Sub-Class	Translation
	12.	WO 00/58474	10/05/2000	WIPO			
	13.	WO 01/98485	12/27/2001	WIPO			
	14.	WO 97/47756	12/18/1997	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	15.	Asamizu, Erika et al., "Structural Analysis of Arabidopsis thaliana Chromosome 5.VIII. Sequence Features of the Regions of 1,081,958 bp Covered by Seventeen Physically assigned P1 and TAC Clones", DNA Research, vol. 5, pp. 379-391 (1998).
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Examiner	Date Considered
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**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	21.	Curie, Catherine et al., "The activation process of Arabidopsis thaliana A1 gene encoding the translation elongation factor EF-1.alpha. is conserved among angiosperms", Plant Molecular Biology, vol. 18, pp. 1083-1089 (1992).		
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